

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR*
Internal Affairs Section

DATE: August 14, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0047

Complainant:

Ms. Jennifer Burger
jeburger@gmail.com
916.595.9007

On May 11, 2023, Ms. Burger contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0047.

Allegation: Vehicle Operations

COMPLAINT SUMMARY

Ms. Burger alleges an officer nearly hit her with his vehicle while she was crossing in a crosswalk.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Ms. Jennifer Burger emailed Internal Affairs with a complaint. She wrote that she was crossing Yakima Avenue walking toward the County-City Building. While she was in the crosswalk, a Tacoma PD SUV turned left off Nollmeyer Lane onto Yakima and nearly hit her. She made brief eye contact with the officer driving as she jumped out of the way. He did not seem to respond at all and continued on his way as if he had not almost hit her.

Through investigative resources, it was determined the officer in question was Officer Holter. He advised he had just finished booking a subject and was exiting Nollmeyer Lane waiting to turn southbound on Yakima Avenue. As he was in the intersection, a subject with mental health issues known to police began to approach his patrol vehicle in the middle of the intersection. The subject had been contacted/arrested multiple times in the past. Officer Holter advised he had no reason to contact this subject and thought the best course of action was to continue his southbound turn onto Yakima Avenue. Officer Holter stated he made the turn in a safe and normal manner and did not remember seeing anyone in the crosswalk as he made the turn.

Multiple attempts were made to re-contact Ms. Burger for follow-up, with negative results.

COMMANDER REVIEW

A thorough review of this investigation was completed. A female complainant alleged to have almost been struck by the involved officer's patrol vehicle while crossing an intersection. The involved officer stated the only person he recalled seeing at the intersection at the time in question was a male subject known for

mental health issues. The involved officer denied seeing the female complainant and/or nearly striking her in the crosswalk. It is recommended this incident be classified as Not Sustained.

FINDINGS

An investigation into this complaint was conducted to include a review of the initial complaint email and an interview with the involved officer. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Vehicle Operations against the involved officer is concluded as **Not Sustained**, which is *a final disposition of a complaint when the investigation is unable to substantiate whether or not misconduct or violation of policy or procedures occurred.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

October 24, 2023

Mr. Nicholas A. Brugato
2825 Delin Street
Tacoma, WA 98402

SUBJECT: CITY CONDUCT COMPLAINT #22COM-0047

Mr. Brugato,

On June 22, 2022, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 22COM-0047.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Not Sustained for the allegation Vehicle Operations. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cyh* *7* **DATE:** August 25, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0060

Complainant:

Mr. Steven Meyer
4602 East R Street
Tacoma, WA 98404
253.287.8734

On June 16, 2023, Mr. Meyer contacted the Tacoma Police Department regarding the actions of Tacoma Police Officers. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0060.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Steven Meyer alleges the officers did not follow proper procedure when they responded to his call for service.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Mr. Meyer contacted South Sound 911 (SS911) to file a complaint on how his call for service was handled. He stated he was assaulted by a juvenile who shot some sort of "gel BB gun" at him and caused injuries. He felt the juvenile should have gone to jail as this is an ongoing issue with the subject, and his offenses continue to escalate. The officers did not write a formal report and closed the call with "Solved on Arrival."

A review was done of the Computer Aided Dispatch (CAD) system, police reports, and body worn camera (BWC) footage as well as interviews with the involved officers – Officer Yi and Officer Jackson. On June 15, 2023, Officer Yi and Officer Jackson were working as a two-officer car. They were dispatched to an address regarding an assault. When they arrived, they contacted Mr. Meyer. Mr. Meyer is an adult male who lives at the location with his children. His children were outside playing with neighborhood children with a "gel BB gun." At some point, a neighbor boy shot Mr. Meyer with the toy gun. Officers contacted Mr. Meyer who advised the shooting was unprovoked. Officers then contacted the child in question. The child in question advised that Mr. Meyer "wanted to be shot with it," as if he wanted to feel what it was like to be shot with the gel BB.

Mr. Meyer was re-contacted for follow-up regarding his complaint. He advised the officers were very nice and understanding to his concerns, and he re-explained the incident. He did not ask for the juvenile to shoot him with the BB; the juvenile did it "to be funny." Mr. Meyer believes the "child is misguided with his guardian situation" and does not have structure in his life. He wanted the child to have consequences for shooting him, and he wanted to get the child on a "good track" by having the officer take enforcement

action. After being explained by the officers that Remann Hall will not take the child for the assault, he got discouraged. He advised the officers explained the protocol. Mr. Meyer stated he did not want to complain on the officers but rather complain on the system. Mr. Meyer reiterated the officers were nice, knowledgeable, and explained the process.

The BWC revealed the officers were patient and did contact both parties, to include the juvenile's guardian. Mr. Meyer initially wanted a report and wanted the juvenile arrested, but after officers advised him that a physical arrest would not be made, Mr. Meyer relaxed his request for a report and "just wanted the juvenile to understand he can't just go around shooting people with his toy."

After a review of all available information and speaking with Mr. Meyer, it was determined this was not a complaint on the officers, but rather on the judicial system which the complainant advised "is broken." It was noted in reviewing the BWC footage that the involved officers investigated the incident and handled the incident well and came to an appropriate conclusion.

COMMANDER REVIEW

A thorough review of this investigation was completed. The officers contacted the complainant and discussed the incident involving juveniles in the neighborhood. The officers explained the situation with trying to book juveniles for misdemeanors with Remann Hall, and everyone expressed frustrations with the current state of affairs involving the "system." The officers and the complainant shook hands at the end of the call and several thank-you's were exchanged. The chain of command's assessment finds the officers conducted themselves appropriately and handled the situation in the best manner possible.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Yi, and Officer Jackson, as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegation of Unsatisfactory Performance against the involved officers is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

October 24, 2023

Mr. Steven Meyer
4602 East R Street
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0060

Mr. Meyer,

On June 16, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0060.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GRZ cyh P*
Internal Affairs Section

DATE: August 25, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0061

Complainant:

Ms. Lisa L. Boyd
2245 East 35th Street #3
Tacoma, WA 98404
253.291.3956

On June 17, 2023, Ms. Boyd contacted the Tacoma Police Department regarding the actions of Tacoma Police Officers. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0061.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Lisa Boyd alleges responding officers took too long to respond to a call for service, and they were not concerned about locating and arresting the subject who was involved.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On June 17, 2023, Ms. Boyd contacted South Sound 911 (SS911) to file a complaint. She alleges that her son called 911 to report a suspect was outside their front door, armed with a gun, and threatened to kill him. She said the officers took over 35 minutes to respond and were not concerned about locating and arresting the suspect. She claimed the Officers were more concerned with her son, his past criminal history, and did not attempt to find the suspect even though the suspect drove by while the officers were on scene.

Earlier, on June 17, 2023, Officer Nielsen and Officer Pound were working a two-officer car and were dispatched to a call regarding a Person with a Weapon and Threats. The officers were dispatched almost immediately upon the call being received by 911. While they were en route, the officers were updated that the reporting person advised the suspect had left. When officers arrived, they did an area check for the suspect, with negative results. They then contacted the victim and his mother. Officer Pound completed an incident report regarding his investigation.

A review was done of the body worn camera (BWC) footage. It was noted that Officer Nielsen and Officer Pound activated their body cameras very quickly after being dispatched to the call showing they were on scene. The officers contacted Ms. Boyd at her apartment door, and she was argumentative with them. Ms. Boyd's son was not on scene, and Ms. Boyd was relaying to the officers her son's experience with the neighbor.

After Officer Pound and Officer Nielsen obtained the needed details and information from Ms. Boyd, they began walking back to their patrol vehicle. Ms. Boyd's son emerged at this point from the rear of the apartment building. Officer Pound and Officer Nielsen contacted him, and he was very forthcoming. When asked why the neighbor would be after him, he advised that he and his cousin stole a power washer off the neighbor's porch, and the neighbor

caught him on his camera. He said that ever since that incident, the neighbor had been attempting to confront him. Officers did advise the son he had an outstanding warrant. After advising him of the warrant and without staying anything, the son turned around and walked away from the officers. The officers terminated the contact at this point and returned to their car.

Ms. Boyd was recontacted for follow-up regarding this complaint. She was immediately upset that she was not called sooner and advised the complaint was seven days old. When asked about the incident, Ms. Boyd stated her son called 911, and the Tacoma Police Department Officers failed her, her grandson, and her son. She stated a neighbor in the area is harassing her son and coming to her house repeatedly. On that day, the neighbor observed her son in the yard and attempted to confront him. Her son fled into her house, and the neighbor repeatedly knocked on the door while yelling at him. Ms. Boyd believes the neighbor had a firearm. Ms. Boyd added she called, and no police showed up for 35 minutes. Ms. Boyd denies the officers were in the area within 6 minutes of when the call was received.

Ms. Boyd advised the officers "confronted her about her son's criminal history and his warrant." She advised her son is the victim in the incident, and the officers had no right to bring up his criminal history or warrant. The incident and response were explained to Ms. Boyd as well as why the officers would ask likely uncomfortable questions. It was further explained how the officers have to piece together the incident in order to make sense. Ms. Boyd seemed to understand. Ms. Boyd was advised as to why the neighbor was mad at her son. She did not know beforehand. At this point, Ms. Boyd advised she might be wrong about the response times, but she was upset the officers did not contact the suspect. She was made aware the officers did an area check for the suspect and did not find him, but they did write a report.

Officer Pound and Officer Nielsen were contacted and interviewed regarding this complaint. They both advised they attempted to explain the process to Ms. Boyd, but she was not willing to listen. The officers explained the incident while watching the body worn camera footage. They had nothing to add except they told Ms. Boyd's son about his warrant as a courtesy to get it handled. They asked about his criminal history and lifestyle because they recognized the neighbor clearly was mad at him for a reason, and they were trying to figure out why.

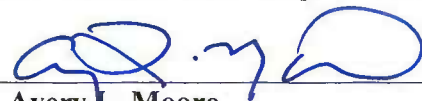
COMMANDER REVIEW

A thorough review of this investigation was completed. The response time to this call, according to CAD, was 6 minutes, which is about as fast as it can get for a response time. Officer Nielsen and Officer Pound tried to interview Ms. Boyd, but she ended up cursing at them and was extremely irritated at the situation with her son. During the interview with Ms. Boyd's son, he admitted to stealing the neighbor's power washer with a relative as to the reason the neighbor was mad at him. As the officers continued the conversation, Ms. Boyd's son walked off. After spending considerable time trying to ascertain exactly what happened that generated the call to 911, officers completed an Incident Report for investigative follow-up, if deemed appropriate by the Criminal Investigations Division.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Pound and Officer Nielsen, as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegation of Unsatisfactory Performance against the involved officers is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

October 24, 2023

Ms. Lisa L. Boyd
2245 East 35th Street #3
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0061

Ms. Boyd,

On June 17, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0061.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *(initials)*
Internal Affairs Section

DATE: August 25, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0063

Complainant:

Mr. Clifford E. Tymony
171 12th Avenue #302
Seattle, WA 98122
206.595.5964

On June 22, 2023, Mr. Tymony contacted the Tacoma Police Department regarding the actions of Tacoma Police Officers. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0063.

Allegations: Non-discrimination Policy; Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Clifford Tymony alleges he should not have received a ticket for a collision and believes the responding officers to be racist.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Mr. Tymony was involved in a collision when his vehicle and a motorcycle rider collided on June 4, 2023. Mr. Tymony received an infraction for Failure to Yield - Left Turn.

On June 22, 2023, Mr. Tymony called to file a complaint. He claimed that Officer Nguyen never talked to him about the collision and believes Officer Nguyen had already made up his mind about what had happened. Mr. Tymony did not specify any comments or actions by Officer Nguyen that were suggestive of racial discrimination. When Mr. Tymony was advised that Officer Tegeler had written him the infraction, he said that she was "guilty" too. He believes Officer Tegeler violated his 14th Amendment rights by not properly investigating the incident.

Mr. Tymony added that the motorcycle rider was a white male who was speeding and claimed the rider had a meth pipe in his pocket. He stated his witness, Harrington, told him about the meth pipe. Mr. Tymony complained Officer Nguyen never came to talk to him about the incident and believes Officer Nguyen was trying to cover something up. He believes it was racial discrimination for Officer Nguyen to not tell him who he was, and Officer Nguyen was disrespectful when he did not come talk to him about the incident. Mr. Tymony was sure Officer Nguyen was the officer who wrote him the ticket because he did not think Officer Tegeler would have done it since she told him that he "may or may not" get a ticket, which he accepted. Mr. Tymony claimed the issuing officer's name was not on the citation he received in the mail.

When Mr. Tymony was advised that Officer Tegeler had been the one who had written him the infraction, he inquired how she could have done that without having all the information. Mr. Tymony did not think she contacted his witness, Harrington. Per Mr. Tymony, Harrington is black and would agree the motorcycle rider was at fault. He was advised that Officer Tegeler attempted to contact Harrington but was unable to get a hold of him. He believes Officer Tegeler violated his 14th Amendment rights by not investigating the incident properly. When advised that she had spoken to two separate witnesses, he still believed she should have contacted his witness (Harrington) who did not stay at the scene.

Mr. Tymony was not able to provide any specific examples of how Officer Nguyen was being racist.

A review of Officer Nguyen's body worn camera (BWC) was completed. It revealed that Officer Nguyen initially approached Mr. Tymony and asked him for his identification after Mr. Tymony indicated he had been involved. Once he had Mr. Tymony's identification, he moved his patrol vehicle out of the active lane of travel to a safer position for traffic control. Once he got back out of his vehicle, Officer Tegeler arrived and went to begin speaking to Mr. Tymony and witnesses while Officer Nguyen checked on the status of the downed motorcycle and the rider. Officer Nguyen's entire BWC video was reviewed and no comments about race were made to anyone or when he was alone in his vehicle.

A review of Officer Tegeler's BWC was completed. It revealed that she first spoke to witness Hill and then to Mr. Tymony to get his statement of what happened. She later spoke with witness Hamblin for a statement. Officer Tegeler also spoke to Tacoma Rescue Mission staff to inquire about surveillance footage that might have shown what had happened since that is where the collision occurred. She was eventually able to view their facility's surveillance footage and took special care to hold her BWC in her hand so it had a better view of the screen to record the footage.

After reviewing surveillance footage, Officer Tegeler recontacted Mr. Tymony to give him the case number. She also requested his proof of insurance, which he claimed to have purchased through his rental agreement on the rental car but could not provide proof of. She explained the department policy that indicated if an officer was able to determine fault at a collision, then they were to issue an infraction to the at-fault driver. She told Mr. Tymony that he "may or may not" receive a ticket in the mail and that she was not issuing it right now because she had not finished the investigation yet.

On June 28, 2023, the Internal Affairs Lieutenant advised that Mr. Tymony had contacted Internal Affairs wanting to change his complaint to reflect that he believed Officer Tegeler was also racist.

Officer Tegeler was contacted and interviewed regarding this complaint. She denied hearing or seeing Officer Nguyen do anything during this investigation that could have been considered racial discrimination. She was then asked if she had said or done anything during this investigation that could have been considered racial discrimination to which she also denied.

Officer Nguyen was contacted and interviewed regarding this complaint. He was asked if he said or did anything during this incident that could have been considered racially discriminatory to which he denied.

Mr. Tymony was recontacted for follow-up to his complaint. He reiterated his initial complaint, adding that since the motorcycle rider was white and he is black, he was found to be at fault; it is "automatically racial discrimination."

COMMANDER REVIEW

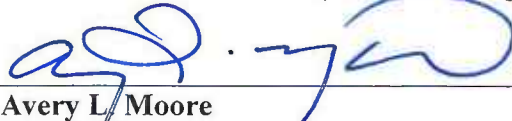
A thorough review of this investigation was completed. The involved officers investigated a collision involving the complainant who was driving a car and another citizen who was driving a motorcycle. It was determined by the involved officers that the complainant was the at-fault driver and subsequently issued him an infraction for failure to yield while making a left-hand turn. The infraction was issued through the mail. Upon receiving the infraction, the complainant filed the formal complaint. In addition,

the complainant accused the involved officers of unsatisfactory performance for failing to interview all witnesses. The investigation revealed the involved officers did in fact perform a complete and thorough collision investigation and more importantly, no evidence to suggest the officers engaged in racial discrimination. At no time during the body worn camera footage does either officer make any racist or derogatory comments or remarks to Mr. Tymony or about Mr. Tymony to anyone on scene or to each other. The citation that was later mailed to Mr. Tymony for "fail to yield, left turn" was issued after a thorough and complete investigation.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Nguyen and Officer Tegeler, as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegations of Non-Discrimination Policy and Unsatisfactory Performance against Officer Tegeler and the allegation of Non-Discrimination Policy against Officer Nguyen are concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

October 24, 2023

Mr. Clifford E. Tymony
171 12th Avenue #302
Seattle, WA 98122

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0063

Mr. Tymony,

On June 22, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0063.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Non – Discrimination Policy and Unsatisfactory Performance against Officer Tegeler. For the allegation of Non – Discrimination Policy against Officer Nguyen, I agree with the finding of Unfounded. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *(signature)* **DATE:** September 15, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0070

Complainant:

Mr. Byron Burris
1624 East 32nd Street #202
Tacoma, WA 98404
206.208.4281

On June 21, 2023, Mr. Burris contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0070.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Byron Burris alleges officers arrested him for things that did not happen.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On June 20, 2023, Mr. Burris contacted an officer stating he wanted to file a complaint on a different officer. A sergeant was called to the scene for the initial complaint intake. During this intake, Mr. Burris stated he was falsely arrested based on things he stated did not happen. Officer Paris and his "crew" refused to allow the Tacoma Fire Department (TFD) to examine him at the scene, waving them off rather than treating him. He claimed officers did not allow him to speak with a supervisor even though he asked to speak with one. He also claimed officers deliberately left his keys at the location. Mr. Burris had injuries consisting of old scratch marks that he claimed were caused by officers during his arrest.

The incident Mr. Burris is referring to occurred on June 9, 2023. Officers were called for an incident involving Mr. Burris after he had assaulted on-site security and threatened to blow up the building with a propane tank. Probable cause was developed, and Mr. Burris was arrested for Assault 4th Degree, Harassment, Threats to Bomb or Injure Property, and Resisting Arrest. Witness statements and video surveillance were used to develop the probable cause. Prior to his arrest, Mr. Burris was able to walk and move freely but as soon as he was under arrest, he began complaining of leg pain and was unable to walk. A lower-level Use of Force (UOF) entry was created in the Department's UOF tracking database with regards to this incident, and it was determined the Use of Force was within policy.

Attempts were made to speak with Mr. Burris about this complaint; however, his listed phone number is a 911-only phone and cannot receive incoming calls. Mr. Burris also is no longer a resident at his listed address.

Per Mr. Burris' initial complaint, he stated he was denied access to medical attention when officers waved off TFD who had responded to the scene. Body worn camera (BWC) footage clearly showed TFD personnel arriving and treating Mr. Burris for a lengthy period of time before he was transported to jail. Mr. Burris also claimed officers did not allow him to speak with a supervisor even though he requested one. Sergeant Harris was called to the scene by the officers. He was present for the latter half of Mr. Burris's arrest. Despite being in close proximity of Mr. Burris, he only complained and feigned injury rather than discussing any grievances with the Sergeant.

Mr. Burris stated officers deliberately left his keys at the location; however, video evidence from the BWC showed Mr. Burris' keys were turned over to an on-site property manager by Officer Lawrence. This was the appropriate action given Mr. Burris had already been transported to the jail, and it would be logical to assume he could retrieve them upon his release.

Mr. Burris claimed officers caused him injury during the arrest. BWC footage of the incident clearly showed officers used great restraint and the absolute minimal amount of force necessary to make the arrest. Officers had to carry Mr. Burris to their patrol vehicle because he refused to walk, complaining of leg pain. Video surveillance of Mr. Burris assaulting the security guard clearly showed he was capable of walking on his own.

COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleged he was denied access to medical attention, officers did not allow him to speak with a supervisor even though he requested one, officers deliberately left his keys at the arrest location, and officers caused him injury during the arrest.

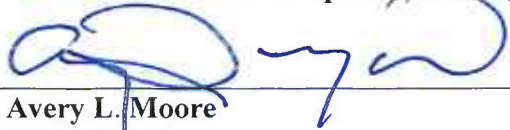
Body worn camera footage captured the complainant receiving medical aid, a supervisor was in fact on scene, the complainant's keys were left with a property manager (appropriate considering the complainant had already left the scene and was being transported to the jail), and BWC footage clearly showed minimal force used in the arrest that would not have caused any harm.


There is no merit to the complainant's allegations.

FINDINGS

An investigation into this complaint was conducted to include an initial interview of the complainant as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance against the involved officer is concluded as **Unfounded**, which is a *final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

October 24, 2023

Mr. Byron Burris
1624 East 32nd Street 3202
Tacoma, WA 98404

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0070

Mr. Burris,

On June 21, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0070.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *OST cyth ?)*
Internal Affairs Section

DATE: September 15, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0073

Complainant:

Mr. Andre Stewart

ajszanate@yahoo.com

727.247.3941

On June 30, 2023, Mr. Stewart contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0073.

Allegation: Vehicle Operations

COMPLAINT SUMMARY

Mr. Andre Stewart alleges that while driving a large semi-truck with trailer and heavy load, a patrol vehicle cut him off and forced him to hit the brakes.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Upon initial contact with Mr. Stewart, he stated he was driving northbound on I-5 in a large semi-truck with a very large trailer and heavy load. He was traveling at about 55 miles per hour (mph) near South 56th Street when a Tacoma Police vehicle (#2881) cut him off and forced him to hit the brakes. He was upset because the officer was driving about 40 mph, cut over into his lane without yielding, and did not use a turn signal. Mr. Stewart said the officer then did it again to get back into the right lane a short distance later. The vehicle number provided shows the vehicle assigned to Officer Komljenovic.

Mr. Stewart was re-contacted by the investigating supervisor for follow-up to his complaint. Mr. Stewart confirmed he was driving north on I-5 when a black and white Tacoma Police vehicle cut him off while going below the speed limit. I-5 in this area has four lanes for travel. Lane 1 will be labeled as the far left (western-most lane), lane 2 the lane east of lane one, and so on. Mr. Stewart relayed that Officer Komljenovic was in lane 1 before he merged into Mr. Stewart's lane of travel, who was in lane 2. When Officer Komljenovic merged into his lane of travel without using his turn signal, he estimated the officer was going 40 miles per hour while Mr. Stewart was travelling 55 miles per hour, causing Mr. Stewart to have to brake to avoid striking the officer. The officer then performed this lane change again to merge into lane 3, again without using his turn signal. The officer stayed in this lane of travel northbound on I-5 for approximately three miles, which would put them near Fife/Federal Way. Mr. Stewart was not aware of where this vehicle went after this last location update. Mr. Stewart viewed the truck surveillance video that captured the incident; however, it is no longer available. Mr. Stewart was sure of the time of incident as he had called South Sound 911 approximately 5 minutes after the occurrence. The initial complaint was called in at 4:34 p.m. on June 30, 2023, which would

indicate the incident happened at approximately 4:29 p.m. Mr. Stewart was “pretty sure” of the vehicle number he recorded at the time of the incident. Mr. Stewart did not have anything else to add. He does not have a mailing address but provided an email address as contact information other than his phone number.

Officer Komljenovic was interviewed regarding this complaint. He has no knowledge of this happening and said he would not have been up in the Fife/Federal way area as he was working in another capacity in support of the Crime Reduction Plan.

A call log of Officer Komljenovic was pulled from the Computer Aided Dispatch (CAD) system. He was working an assignment at the time of this complaint. He was located at 8820 South Hosmer Street from 4:22 p.m. until 4:38 p.m. After this call, he was at 1913 South 72nd Street from 4:43 p.m. to 4:59 p.m. Prior to these two calls, he was at the Tacoma Mall. Going from the Tacoma Mall to his next location would require him to travel south on I-5 rather than north. Officer Komljenovic’s CAD indicated he was not broken from his assigned locations. Officer Komljenovic was in his assigned vehicle at the time, and the vehicle had not been loaned to another officer.

A search of Officer Komljenovic’s body worn camera (BWC) footage showed no camera footage during this time frame. This is to be expected when an officer is on a specific assignment for the Crime Reduction Plan unless a citizen contact is made while working them.

Both Federal Way and Fife Police Department have marked black and white cars. The police car exited the highway in the Federal Way/Fife area. It is possible this may not be a Tacoma Police vehicle that improperly merged into Mr. Stewart’s lane.

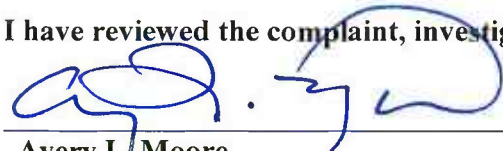
COMMANDER REVIEW

A thorough review of this investigation was completed. The complainant alleged a TPD Patrol Officer cut him off while traveling northbound on I-5. The complainant provided a vehicle number assigned to the observed patrol vehicle, which was described as a black and white SUV. The complainant was not entirely confident he had the patrol vehicle number correct. The investigating supervisor determined the vehicle number in question is assigned to Officer Komljenovic. It was further determined that Officer Komljenovic had not traveled northbound I-5 on the date/time in question but was instead working overtime in support of the Crime Reduction Plan and covering other locations within the city. Lastly, the complainant last reported seeing the involved patrol vehicle in the Fife area. It should be noted, both Fife PD and Federal Way PD have black and white patrol vehicles. It is very possible the involved officer was from another agency.

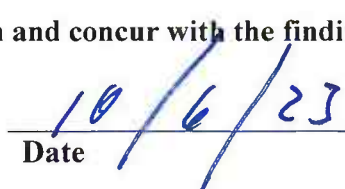
FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Officer Komljenovic. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer’s chain of command. The allegation of Vehicle Operations against the involved officer is concluded as **Unfounded**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged did not occur.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

October 24, 2023

Mr. Andre Stewart
ajszanate@yahoo.com
(727) – 247 - 3941

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0073

Mr. Stewart,

On June 30, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0073.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Unfounded for the allegation Vehicle Operations. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cgt PJ* **DATE:** September 15, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0075

Complainant:

Ms. Raven I. Martinez
5102 South 58th Street #F11
Tacoma, WA 98467
850.582.9957

On July 11, 2023, Ms. Martinez contacted the Tacoma Police Department regarding the actions of Tacoma Police Officers. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0075.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Ms. Raven Martinez alleges the officers who responded to a civil standby did not have control of the situation.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

Ms. Martinez has a No-Contact Order in place between her and her former significant other, Darius Glenn. She had been trying to arrange for Mr. Glenn to get his personal items from the apartment through her assigned DV Advocate but had trouble doing that. Therefore, she was surprised when she arrived home to find Mr. Glenn at her apartment complex with police officers to perform a civil standby. Ms. Martinez was concerned the officers were not able to get Mr. Glenn to obey their orders.

Upon receipt of the complaint, the investigating supervisor reviewed the Computer Aided Dispatch (CAD) call and confirmed Officer K. Ramos and Officer Trott were the only two officers on the call.

A review of the body worn camera (BWC) was done of both officers. It was noted that Officer Trott and Officer Ramos did speak with the complainant, Ms. Martinez, before allowing Mr. Glenn up to the apartment. They addressed him on multiple occasions that he was taking too long and needed to finish. Mr. Glenn had several friends with him to gather belongings. Ms. Martinez did tell them what items of furniture in the apartment were Mr. Glenn's, and she did not appear to have a problem with him taking those during that initial contact.

Ms. Martinez was re-contacted for follow-up regarding her complaint. She stated that she had several things that bothered her about the incident and began to discuss them. She believed the officers did not appear to be there to protect her, and they were unable to keep control over Mr. Glenn or his friends and where they went in the apartment. She felt Mr. Glenn was deliberately ignoring the officers during the standby, and the officers did not appear to be able to respond to that. Ms. Martinez stated she was

particularly upset that her son was present to see the civil standby, and the officers did not have him come back at a different time since she had brought up not wanting her son to be there for it. She felt the officers should have stopped Mr. Glenn from removing items like the TV, which her son was watching up until the civil standby occurred.

Ms. Martinez stated the officers told her that she could make certain areas off limits to Mr. Glenn during the standby, but he entered those areas anyway. She believed the officers did not make a strong enough attempt to remove him from them. She also said he damaged a wall in her bedroom while removing a TV. Additionally, Ms. Martinez stated that Mr. Glenn asked her questions and made comments directed toward her during the civil standby, which would be violations of the No-Contact Order that was in place. Ms. Martinez said the officers did not attempt to intervene when he spoke to her until the end of the standby period.

Officer Ramos and Officer Trott were contacted, and numerous questions were asked regarding this complaint. Officer Ramos reported that Ms. Martinez indicated she did not want Mr. Glenn to enter her bedroom, and they attempted to intervene when he did. Officer Trott indicated Ms. Martinez did not specifically state she did not want him in her bedroom. It was confirmed that Officer Ramos did intervene with Mr. Glenn on her BWC video when he attempted to enter the bedroom. Both officers acknowledged that Mr. Glenn was given more time than would ordinarily be given, but Officer Trott pointed out that the total time allowed was still less than 30 minutes. They did acknowledge he was removing more than essential items, however. Both officers stated Ms. Martinez raised no concerns about her son being present and was ultimately okay with the civil standby occurring. They said she was given the opportunity to not be present in the apartment but elected to stay inside with her son. The officers also stated that Mr. Glenn appeared to be asking general questions, not speaking directly to Ms. Martinez, and when they began to argue, the officers intervened to stop it. Neither officer remembered if Mr. Glenn had damaged any walls in the bedroom nor that Ms. Martinez mentioned it at the time.

Another review of the BWC was completed for the incident. It was observed multiple times where Mr. Glenn appeared to be asking Ms. Martinez questions or speaking directly to her. Some of the questions could be interpreted as open-ended and not specifically directed at her; however, she was present for all of them, so it is clear that at least some of the questions were directed at her. They were also arguing at one point for approximately 30 seconds before the officers stopped it, and again later in the footage, which the officers intervened on quickly. Also, at these points in the recording, Ms. Martinez was clearly speaking to Mr. Glenn and asked him questions, which the officers did attempt to put a stop to. At one point in the video, Ms. Martinez told Mr. Glenn he could not take the detergent for the washing machine, which started an argument. The officers did quickly intervene and kept him from taking the detergent. A minute later, Mr. Glenn directly asked Ms. Martinez for his vacuum cleaner, which the officers did not let him take. The officers did somewhat push for a compromise of him taking his TV from the bedroom after Ms. Martinez told them he had gifted her the TV previously. They appeared to take Mr. Glenn's side in allowing him to take the TV as long as he left the AC unit, which Ms. Martinez needed to keep the apartment cool for her son. Ms. Martinez did not raise a further objection to this.

During the video footage, the officers reminded Mr. Glenn repeatedly that he was taking too long, but they did allow him to continue until he had most of his belongings out of the apartment. At one point, the officers acknowledged to each other that he is moving out, not grabbing essential items as indicated on the civil standby order. When Mr. Glenn came back up the stairs to the apartment, Officer Ramos quickly ordered him to leave the apartment as he had already had more than enough time to remove his belongings. Ms. Martinez did not mention the damage to the walls in the bedroom to the officers. In all, the civil standby took approximately 28 minutes to conclude. Mr. Glenn and his friends continued to load his belongings into their vehicles outside the apartment for several more minutes, but that did not lead to any further problems.

COMMANDER REVIEW

A thorough review of this investigation was completed. Civil standbys are complicated situations, often involving very intense emotions. The complainant alleged the respondent was allowed to stay on the premise over the allotted time, that he damaged a bedroom wall, and that the officers did not have control over the situation. Overall, she did not feel safe during the entire civil standby process. A review of the BWC by the investigating supervisor revealed that the officers did in fact stop the removal of property that was contested, intervened more than once when the couple would start to argue, and allowed the respondent an estimated 28 minutes to retrieve his property. There was no indication the involved officers acted in a manner that would constitute any type of policy violation or that they were not in complete control of the situation.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant, Officer Ramos and Officer Trott, as well as review of the body worn camera footage. The investigation was then reviewed by the officers' chain of command. The allegation of Unsatisfactory Performance against the involved officers is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date

/man



City of Tacoma
City Manager

October 24, 2023

Ms. Raven I. Martinez
5102 south 58th Street #F11
Tacoma, WA 98467

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0075

Ms. Martinez,

On July 11, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0075.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR cyh ?*
Internal Affairs Section

DATE: September 15, 2023

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0077

Complainant:

Mr. Fred R. Dreis
dreiscrew@aol.com
801.814.3037

On July 12, 2023, Mr. Dreis contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0077.

Allegation: Unsatisfactory Performance

COMPLAINT SUMMARY

Mr. Fred Dreis alleges the officer issued an improper and/or incorrect electronic ticket.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On July 12, 2023, Mr. Dreis emailed Internal Affairs describing an improper issuance of an infraction issued by Sergeant Thiry when triggered by a red-light camera. Mr. Dreis wrote that the ticket was mailed to Kathy Kesler in care of Mr. Dreis' residence in Utah. Kathy has not lived at Mr. Dreis' residence for 10 years and currently resides in Arizona. The car that was listed on the citation was for a 2006 Kia which was totaled in an accident in 2019. The license plate in the picture is not the license plate listed on the citation. The car in the picture is obviously a Toyota. Mr. Dreis wrote the citation had caused undue stress on him, Kathy Kesler and her family, and an undo waste of resources of the Tacoma Police.

The City of Tacoma currently employs 14 automated traffic safety cameras from the NovoaGlobal company. This includes red-light cameras, school zone speed cameras, and one non-school zone speed camera. On average, over 6000 citations are issued monthly, with even more reviewed but not issued. Every citation must be reviewed and approved by a police officer for issuance. This responsibility falls upon the Traffic Unit. A traffic officer will review the citations for distribution from the day or weekend prior. At approximately 200 per day, they will spend approximately one to two hours reviewing the citations for issuance. Each citation for review auto-populates with the date/time/location of the incident along with the vehicle plate, state, Department of Motor Vehicle (DMV) status, make, model, year, and registration information. Two screenshots of the license plate and a video are posted for the officer to review. The officer can authorize for a citation to be issued or dismissed. If a citation is marked for issuance, one is mailed to the registered owner listed on file through the DMV. In accordance with state law, infractions captured through automated photo enforcement cameras are not reported to the Department of Licensing.

The investigating supervisor reviewed citation #RL0079605. The camera location is North 26th and North Pearl Street for southbound traffic. The violation date/time was June 16, 2023, at 3:12 p.m. Sergeant Thiry was the reviewing officer. He marked it for citation issuance on June 27, 2023, at 3:45 p.m. The auto-populated information listed the plate number as AQD7697 out of Washington State. The DMV status is listed as "OK." The color did not populate. The make was listed as KIA, and the model as NEW, with the year listed as 2006. The registered owner information listed was Kathy Kesler. A state check of Washington license plate AQD7697 confirmed Kathy Kesler as the registered owner, but the title and license were canceled as out of state in 2017. This information was unavailable to the officer conducting the red-light camera review.

The image and video showed a red sedan committing the infraction of running a red light. The image of the license plate showed it was actually AOD7697. Due to the license plate frame around the license plate, the automated software incorrectly populated the "O" as a "Q." A state check of Washington AOD7697 showed that it returned to a 2007 Toyota Camry. Both license plates came back to a similar year and style of vehicle.

Due to the incorrect license plate being automatically populated by the system, a citation was mailed to Kathy Kesler instead of the actual vehicle owner. On July 12, 2023, NovoaGlobal was notified the citation was issued to Kathy Kesler in error, and the citation was dismissed.

On July 24, 2023, Mr. Dreis was contacted by phone for follow-up regarding this complaint. The investigating supervisor talked with him about the automated traffic safety camera process, including the approximate number of citations reviewed, the automation process, and how Kathy Kesler was incorrectly issued a citation. Mr. Dreis initially thought someone might have been using the old license plates from the vehicle as it had since been totaled in a collision. He confirmed the citation had been dismissed.

Sergeant Thiry was contacted and interviewed regarding this complaint. He confirmed the process of reviewing the automated traffic citations and the pre-populated information. He advised the information appeared correct but missed the incorrectly populated make of the vehicle on the citation. He advised there was no malicious intent on this citation and always did his best to ensure the proper information was listed before a citation was marked for issuance. He advised citations are dismissed if a mistake is made due to incorrectly populated information.


COMMANDER REVIEW

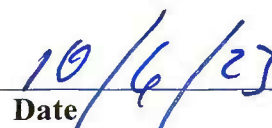
A thorough review of this investigation was completed. While Sergeant Thiry did mark this violation for a citation, and it was issued to the wrong license plate as alleged, the information that was populated and supplied by a third-party company was incorrect. The "Q" was actually an "O." The ticket was dismissed as soon as the error was detected, and there was no malicious intent on behalf of Sergeant Thiry.

FINDINGS

An investigation into this complaint was conducted to include interviews of the complainant and Sergeant Thiry. For the circumstances of this complaint, there was no body worn camera footage to review. The investigation was then reviewed by the officer's chain of command. The allegation of Unsatisfactory Performance against the involved officer is concluded as **Exonerated**, which is *a final disposition of a complaint when the investigation revealed that the facts or actions alleged were substantially correct; however, the conduct of the Officer was proper given the circumstances.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.


Avery L. Moore
Chief of Police


Date



City of Tacoma
City Manager

October 24, 2023

Mr. Fred R. Dreis
dreiscREW@aol.com
(801) 841 – 3037

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0077

Mr. Dreis,

On July 12, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0077.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Exonerated for the allegation Unsatisfactory Performance. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department

TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



TO: Chief Avery L. Moore
Chief of Police

FROM: Lieutenant Gary J. Roberts *GJR ajr D* **DATE:** August 25, 2023
Internal Affairs Section

SUBJECT: CITY CONDUCT COMPLAINT 23COM-0078

Complainant:

Ms. Christina K. Streeter
4505 South Yakima Avenue
Tacoma, WA 98418
253.359.0047

On July 19, 2023, Ms. Streeter contacted the Tacoma Police Department regarding the actions of a Tacoma Police Officer. The complaint was entered into the Tacoma Police Department's tracking system, processed by the Internal Affairs Section, and assigned complaint number 23COM-0078.

Allegation: Courtesy

COMPLAINT SUMMARY

Ms. Christina Streeter alleges the officer was disrespectful during their interaction.

INVESTIGATION

The complaint was forwarded to the Operations Bureau where the assigned investigating supervisor reported the following:

On July 19, 2023, Ms. Streeter called in a complaint against an officer. She explained that she had been in a fight with her husband the night before, and she left her house. She had some friends whom she knows at the homeless encampment at the northeast corner of East 26th Street and Portland Avenue where it meets Bay Street. She parked her vehicle on the south side of 26th Street where it goes into the alleyway along with other vehicles. She said she feels safe at this location and slept there that night. Ms. Streeter was woken up the following morning by someone from the camp opening her door and telling her the police were here and moving the vehicles. She said she was in the process of moving from the back seat to the front seat when the officer, identified as Officer McQuade, opened her door and asked, "Did driver's ed. teach you to park here?" Officer McQuade then said, "The only reason you are down here is to do drugs." Ms. Streeter said she responded by saying, "No," and he replied, "Then to do prostitution." Ms. Streeter said the officer shut her door and walked away.

A review was done of Officer McQuade's body worn camera. The footage showed Officer McQuade patrolling the area of East 26th Street and Portland Avenue around the transient camps. He stopped at East Q Street on East 26th Street where Ms. Streeter was parked illegally. The vehicle was one of multiple vehicles being addressed which were parked on the sidewalk on the south side of East 26th Street. The other vehicles began to drive away as Officer McQuade approached on foot. Officer McQuade contacted the one of the remaining vehicles which was Ms. Streeter. He reached the driver door of her vehicle and observed her in the driver seat. She started reaching down between herself and the door.

Officer McQuade initiated the contact when he opened the driver door and said, "What makes you think that you can park like this? Did you learn this in driver's ed?" He then continued by telling her not to come

down to the area stating, "You're just down here to do drugs." When Ms. Streeter replied, "No, I'm not," Officer McQuade replied, "Or prostitution." Ms. Streeter told him she is not there for either of those things. Officer McQuade again told her not to come down to the area. Ms. Streeter told him he was "rude." Officer McQuade stated he did not care, closed her door, and walked back to his patrol vehicle where he waited for all the vehicles in the area to disperse.

Based on this interaction observed in the body worn camera footage, it was found that Officer McQuade did not act appropriately. Officer McQuade initiated his contact with a very aggressive tone. He did not take time to professionally communicate the violation at hand and made accusatory statements toward Ms. Streeter, which were unfounded. Officer McQuade sounded irritated with Ms. Streeter and was rude throughout the entire interaction.

COMMANDER REVIEW

A thorough review of this investigation was completed. It was found that Officer McQuade's actions in this incident to be unprofessional and a violation of our policy on Courtesy.

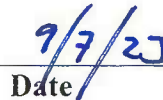
FINDINGS

An investigation into this complaint was conducted to include an initial interview of the complainant as well as review of the body worn camera footage. The investigation was then reviewed by the officer's chain of command. The allegation of Courtesy against the involved officer is concluded as **Sustained**, which is *a final disposition of a complaint when it is found that the member acted improperly with respect to the Department policy.*

I have reviewed the complaint, investigation and conclusion and concur with the findings.



Chief Avery L. Moore
Chief of Police



Date

/man



City of Tacoma
City Manager

October 24, 2023

Ms. Christina K. Streeter
4505 South Yakima Avenue
Tacoma, WA 98418

SUBJECT: CITY CONDUCT COMPLAINT #23COM-0078

Ms. Streeter,

On July 19, 2023, you registered a complaint about the conduct of an officer from the City of Tacoma Police Department. The complaint was subsequently processed through the City's complaint management system, and the information regarding your complaint was assigned Complaint # 23COM-0078.

Subsequent to its receipt, the complaint was referred to the Internal Affairs Section of the Police Department. This complaint was investigated by the supervisor of the officer in question, and the results of the investigation were then reviewed by the officer's chain of command and ultimately the Assistant Chief of Police, Operations Bureau. Subsequent to this review, the Internal Affairs Lieutenant prepared the attached memorandum to the Chief of Police. This memorandum and the investigation were reviewed by the Chief of Police and the City Manager.

I have personally reviewed the findings of this investigation and the actions recommended by the Chief of Police, and I concur with the finding of Sustained for the allegation Courtesy. An additional explanation is outlined in the attached Tacoma Police Department memorandum.

If you would like to discuss the investigation of this complaint further, please contact the Internal Affairs Section at (253) 591-5283.

Sincerely,

Elizabeth A. Pauli
City Manager

Attachment

cc: Complaint File
Internal Affairs, Tacoma Police Department